

UNITED STATES DISTRICT COURT

for the

Western District of Oklahoma

United States of America

v.

Jose Morales-De Leon,

Case No. MJ-25-278 -CMS

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 14, 2025 in the county of Oklahoma in the
Western District of Oklahoma, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 922(g)(5)(A)

Alien in Possession of a Firearm

This criminal complaint is based on these facts:

See attached Affidavit of Special Agent David Moore, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

☒ Continued on the attached sheet.


Complainant's signature

DAVID MOORE, Special Agent, ATF

Printed name and title

Sworn to before me and signed in my presence.

Date: April 30, 2025


Judge's signature

City and state: Oklahoma City, Oklahoma

CHRIS M. STEPHENS, U.S. Magistrate Judge

Printed name and title

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

STATE OF OKLAHOMA)
COUNTY OF OKLAHOMA)

AFFIDAVIT OF PROBABLE CAUSE IN SUPPORT OF ARREST WARRANT

I, David Moore, having been duly sworn, depose and state as follows:

1. I am a Special Agent (SA) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), a division of the United States Department of Justice, having been so employed since March 2022. Prior to my employment with the ATF, I was a State Police Officer for the Oklahoma Department of Corrections for approximately 11 years. I am a graduate of the Department of Homeland Security's Criminal Investigator Training program as well as the ATF Special Agent Basic Training Program. As a Special Agent with ATF, I am vested with the authority to investigate violations of federal laws including Title 18 of the United States Code.

2. I have been assigned to the ATF Oklahoma City Field Office since March 2022. I am familiar with the information contained in this Affidavit through personal investigation and/or information received from other law enforcement officers, mentioned herein, who have participated in and/or have contributed documentary reports of their investigative efforts in this matter. This Affidavit contains information necessary to support the Complaint and is not intended to include every fact or matter observed or known by me or other law enforcement involved in this matter.

3. This Affidavit is presented for the limited purpose of seeking a federal complaint and arrest warrant for **Jose MORALES-DE LEON (MORALES-DE LEON)**, a male with the date of birth xx/xx/1992. This complaint and arrest warrant are sought based on probable cause to believe **MORALES-DE LEON** violated Title 18, United States Code, Section 922(g)(5)(A).

FACTS SUPPORTING PROBABLE CAUSE

4. Based on my own investigation, an investigation by agents of the U.S. Immigration and Customs Enforcement (ICE), and statements made by **MORALES-DE LEON**, it was determined that **MORALES-DE LEON** is a citizen of Guatemala who unlawfully entered and remained in the United States of America without any legal status and unlawfully possessed a firearm in violation of Title 18, United States Code, Section 922(g)(5)(A).

5. On April 14, 2025, at approximately 11:53 a.m., a sexual assault was reported to the Oklahoma City Police Department (OCPD). The victim reported that **MORALES-DE LEON** had raped her before leaving the area in an older, green sedan, bearing Oklahoma license plate RBQ-503. This information was input into OCPD's FLOCK camera system.

6. Sgt. Ronnie Waugh examined the historical records captured by the FLOCK system on April 14 and identified a green Ford Taurus, bearing the license plate RBQ-503, which had been photographed at the intersection of SW 44th Street and May Avenue at 8:40 a.m. Based on this, Sgt. Waugh drove to the intersection of SW 44th Street and May Avenue and began monitoring traffic for **MORALES-DE LEON**. At approximately 1:30

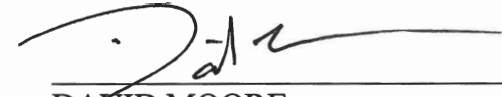
p.m., Sgt. Waugh saw the green Ford Taurus, bearing OK license plate RBQ-503, driving slowly through the same parking lot he was parked in. Sgt. Waugh was able to see through the windows that the car was being driven by a Hispanic male matching **MORALES-DE LEON's** description.

7. Sgt. Waugh initiated a traffic stop and exited his patrol vehicle to contact **MORALES-DE LEON**. As Sgt. Waugh was exiting the patrol vehicle, **MORALES-DE LEON** exited the green sedan. Sgt. Waugh ordered **MORALES-DE LEON** to get on the ground. **MORALES-DE LEON** complied and was placed under arrest. During a pat-down, Sgt. Waugh located a Rossi .38 Special model M33 revolver bearing serial number D745963 in **MORALES-DE LEON's** right pocket.

8. During the ICE immigration processing procedures, completed on April 28, 2025, **MORALES-DE LEON** verbally confirmed he knowingly and illegally entered the United States near El Paso, TX in 2022.

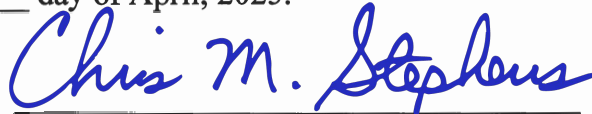
9. ATF SA Brian Anderson, a Firearms Interstate Nexus Examiner, reviewed the firearm found in **MORALES-DE LEON's** possession. He opined, based upon his training, experience, and examination of the firearms markings that the firearm was not manufactured in Oklahoma and therefore crossed state lines to reach Oklahoma, thereby affecting interstate commerce.

10. Based upon the aforementioned facts and circumstances, I believe probable cause exists that on or about April 14, 2025, within the Western District of Oklahoma, **Jose MORALES-DE LEON**, an illegal alien, did knowingly possess a firearm in violation of 18 U.S.C. § 922(g)(5)(A).



DAVID MOORE.
Special Agent
Bureau of Alcohol, Tobacco, Firearms and
Explosives

Sworn and subscribed before me this 30th day of April, 2025.



CHRIS M. STEPHENS
U.S. MAGISTRATE JUDGE